



CITY OF MORGAN HILL

**MORGAN HILL REDEVELOPMENT AGENCY
CITY COUNCIL**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

REDEVELOPMENT AGENCY

Dennis Kennedy, Chair
Larry Carr, Vice-Chair
Hedy L. Chang, Agency Member
Steve Tate, Agency Member
Greg Sellers, Agency Member

CITY COUNCIL

Dennis Kennedy, Mayor
Greg Sellers, Mayor Pro Tempore
Hedy L. Chang, Council Member
Steve Tate, , Council Member
Larry Carr, Council Member

WEDNESDAY, AUGUST 22, 2001

JOINT AGENDA

REDEVELOPMENT AGENCY SPECIAL & REGULAR MEETING

and

CITY COUNCIL SPECIAL MEETING

A Special Meeting is called for Wednesday, August 22, 2001 at 6:00 P.M. for the purpose of conducting Closed Sessions.

Dennis Kennedy, Chair/Mayor

6:00 P.M.

CALL TO ORDER
(Chair/Mayor Kennedy)

ROLL CALL ATTENDANCE
(City Clerk)

DECLARATION OF POSTING OF AGENDA
Per Government Code 54954.2
(City Clerk)

OPPORTUNITY FOR PUBLIC COMMENT

Redevelopment Agency/City Council Action

CLOSED SESSION:

1.

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL AND EXISTING LITIGATION:
CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Legal Authority: Government Code 54956.8 & 54956.9(a) & (c) (1 potential case)
Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Cochrane Road (St. Louise Hospital property)
City Negotiators: Agency Members; Executive Director; Agency Counsel; F. Gale Conner, special counsel; Rutan & Tucker, special counsel
Case Name: San Jose Christian College v. City of Morgan Hill
Case Number: Santa Clara County Superior, No. CV 799179
Closed Session Topic: Potential Existing Litigation/Real Estate Negotiations

2.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure to Litigation
Authority: Government Code Section 54956.9(b)
Two (2) Cases

3.

CONFERENCE WITH LEGAL COUNSEL - REAL PROPERTY NEGOTIATOR

Legal Authority: Government Code 54956.8
Real Property Involved: 17.58 acre parcels located on the east side of Condit Road, bound by Condit Road, Tennant Avenue, Barrett Avenue and Murphy Avenue (APN 817-13-017)
Negotiating Parties:
 For City/Agency: City Manager/Executive Director; City Attorney/Agency Counsel; Director of Business Assistance & Housing Services
 For Property Owners: Virginia Lomanto Trustee
Closed Session Topic: Acquisition of Real Property

4.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Case Name: City of San Jose v. Morgan Hill Unified School District
Case Number: County of Sacramento, Case Number 01CS00196

CLOSED SESSION ANNOUNCEMENT

7:00 PM

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

Public Works

Keith Amdur, Utility Worker I
Mario Jimenez - Engineering Aide I

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.
(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE AGENCY SECRETARY/CITY CLERK.**
(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE AGENCY SECRETARY/CITY CLERK.
THE AGENCY SECRETARY/CITY CLERK WILL FORWARD CORRESPONDENCE TO THE
REDEVELOPMENT AGENCY/CITY COUNCIL.**

Redevelopment Agency Action

CONSENT CALENDAR:

The Consent Calendar, Agenda Item #1; Agenda Item #2; Agenda Item #3 may be acted upon with one motion, a second and the vote by each officiating body. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate

Page

Consent Calendar: 1 - 10 Minutes

- 1) **JULY 2001 FINANCE AND INVESTMENT REPORT** 1
Recommended Action(s): Accept and File Report.

City Council Action

- 2) **ACCEPT DONATION OF BICYCLE FROM SPECIALIZED BICYCLES
FOR THE POLICE BIKE PATROL PROGRAM** 13
Recommended Action(s): Accept Donation of Full Suspension Bicycle Valued at \$1,299 from Specialized Bicycle Along with Miscellaneous Peripheral Equipment Totaling \$362.82 to Add an Additional Bicycle for the Bicycle Patrol Program.

Redevelopment Agency and City Council Action

- 3) **CITY WIDE HOUSING PAINT & CLEAN-UP PROGRAM** 15
Recommended Action(s): Make Findings of Benefit for the Use of Agency 20% Housing Set Aside Funds Outside of the Ojo de Aqua Community Development Program Area ("Project Area") for the Housing Paint & Clean-up Program by doing the following:
-

City Council Action:

1. **Adopt** Resolution No. 5505 Making Findings of Benefit for the Use of Funds from the Morgan Hill Redevelopment Housing Fund for the Housing Paint and Clean-up Grant Program.

Redevelopment Agency Action:

2. **Adopt** Resolution MHRA-235 Making Findings of Benefit for the Use of Funds from the Morgan Hill Redevelopment Housing Fund for the Housing Paint and Clean-up Grant Program; and Finding That Use of the Funds Outside of the Project Area Is of Benefit to the Project Area.

Redevelopment Agency Action

OTHER BUSINESS:

	Time Estimate		Page
4)	20 minutes	<u>AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH SPORTS MANAGEMENT GROUP FOR SERVICES TO PREPARE STUDIES FOR MORGAN HILL COMMUNITY FACILITIES</u>	23
		<u>Recommended Action(s):</u> <u>Authorize</u> the Executive Director to Negotiate and Execute a Consultant Agreement with Sports Management Group in an Amount of \$55,000 for Services Which Include a Facility Feasibility Analysis, Fee Analysis and Business Plan Models for the Morgan Hill Community Cultural Center, Community Playhouse, and Community Recreation Center.	

Redevelopment Agency and City Council Action

PUBLIC HEARINGS:

	Time Estimate		Page
5)	20 minutes	<u>REDEVELOPMENT AGENCY INDEBTEDNESS</u>	37
		<u>Recommended Action(s):</u> Request staff presentation. Public Hearing opened. Please limit your remarks to 3 minutes. Public Hearing closed. Council discussion.	

Approve the Advance and Reimbursement Agreement between the City and Agency and Make Certain Findings by doing the Following:

City Council Action:

Action - Motion to Adopt Resolution. No. 5520 Approving Payment by the Morgan Hill Redevelopment Agency for All or Part of the Cost of the Installation and Construction of Certain Improvements.

Redevelopment Agency Action:

Action - Motion to Adopt Resolution. No. MHRA - 238 Approving Payment by the Agency for All or Part of the Cost of the Installation and Construction of Certain Improvements.

FUTURE AGENCY-INITIATED AGENDA ITEMS:

This is an Opportunity for Members of the Redevelopment Agency to Request Items for Future Agendas.

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT